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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

LA ALLIANCE FOR HUMAN
RIGHTS, an unincorporated
association, JOSEPH BURK,
HARRY TASHDJIAN, KARYN
PINSKY, CHARLES MALOW,
CHARLES VAN SCOY, GEORGE
FREM, GARY WHITTER, and
LEANDRO SUAREZ, individuals,

Plaintiffs,

v.

CITY OF LOS ANGELES, a
municipal entity; COUNTY OF LOS
ANGELES, a municipal entity; and
DOES 1 through 200 inclusive,

Defendants.

Case No. 2:20-cv-02291 DOC-KES

STATUS CONFERENCE REPORT

Date: March 19, 2020
Time: 10:00AM
Ctrm: 350 W. 1st Street
Los Angeles, CA 90012
Courtroom 1

**TO THE HONORABLE COURT, ALL PARTIES AND THEIR
ATTORNEYS OF RECORD:**

Plaintiffs hereby submit the following Report in advance of the status
conference scheduled for March 19, 2020:

1 When the plaintiffs filed this case, homelessness in Los Angeles was a
2 crisis. The spread of the novel coronavirus threatens to turn a crisis into a
3 calamity.

4 When the plaintiffs filed this case, they called for urgency on behalf of the
5 unsheltered. COVID-19 calls for emergency action to protect the most
6 vulnerable among us.

7 According to the CDC, older adults and individuals who have serious
8 chronic medical conditions are at a high risk of getting very sick from COVID-
9 19.¹ Many of the unsheltered fall in these categories. As one news article
10 recently put it,

11 If they are infected, homeless people face a higher risk of
12 getting very sick from the disease, experts say. They
13 tend to be older, and the immune systems already may be
14 compromised by other chronic illnesses, drug or alcohol
15 use, and the harsh realities of street living.²

16 The potential impact of COVID-19 has deepened Plaintiffs' concern for
17 those experiencing homelessness in Los Angeles. Plaintiffs are community
18 members, residents, and workers, including current and formerly homeless
19 individuals, who are demanding immediate action to protect both those
20 experiencing homelessness and the community in which they reside. Plaintiffs
21 stand by and with any party or proposed party that advocates for immediate
22 shelter options for our most vulnerable community members, particularly
23 considering the COVID-19 emergency facing our city, county, state, and nation.

24 _____
25 ¹ Center for Disease Control and Prevention, Coronavirus Disease 2019
26 (COVID-19): If You Are at Higher Risk, <https://www.cdc.gov/coronavirus/2019-ncov/specific-groups/high-risk-complications.html> (last visited Mar. 17, 2020).

27 ² Marisa Kendall, *Coronavirus could hit Bay Area homeless camps hard,*
28 *experts warn*, The Mercury News (Feb. 28, 2020, 1:34 PM),
<https://www.mercurynews.com/2020/02/28/coronavirus-could-hit-bay-area-homeless-camps-hard-experts-warn/>.

1 Plaintiffs stand ready to facilitate a dialogue about how best to deal with
2 these dire circumstances.

3 **Urgent Action at the State Level**

4 On Sunday, March 15, 2020 Governor Newsom announced that hotels and
5 motels would be “procured” to provide shelter to homeless persons as part of its
6 attempt to contain the outbreak of COVID-19.³ Thus far, 393 rooms have been
7 secured near the Oakland Airport in a city with 4,000 homeless, and 901
8 additional hotels have been identified as possible candidates.⁴

9 That said, it is unclear how many facilities are being “procured” or the rate
10 at which this is being accomplished, and it is unclear how the City and County of
11 Los Angeles are involved in this effort.

12 **City and County Action During the COVID-19 Crisis**

13 The City has distributed handwashing stations near encampments and will
14 permit tents to remain up during the day to encourage social distancing.⁵

15 The Plaintiffs are unaware of other City or County efforts aimed at
16 protecting the homeless in light of COVID-19. Plaintiffs are unaware of any plan
17 in place or being contemplated to provide isolation centers for people
18 experiencing homelessness who exhibit COVID-19 symptoms. Tests for the
19 unsheltered will not be available until next month (even though tests are widely
20

21
22 ³ Marisa Kendall, ‘A matter of life and death:’ Plan to house Bay Area
23 homeless during coronavirus outbreak spurs hope, questions, The Mercury News
24 (Mar. 17, 2020, 5:01 PM), [https://www.mercurynews.com/2020/03/17/a-matter-](https://www.mercurynews.com/2020/03/17/a-matter-of-life-and-death-plan-to-house-homeless-amid-coronavirus-spurs-hope-questions/)
25 [of-life-and-death-plan-to-house-homeless-amid-coronavirus-spurs-hope-](https://www.mercurynews.com/2020/03/17/a-matter-of-life-and-death-plan-to-house-homeless-amid-coronavirus-spurs-hope-questions/)
26 [questions/](https://www.mercurynews.com/2020/03/17/a-matter-of-life-and-death-plan-to-house-homeless-amid-coronavirus-spurs-hope-questions/).

27 ⁴ *Id.*

28 ⁵ LAHSA, CITY OF LA HANDWASHING STATIONS (Mar. 17, 2020),
<https://www.lahsa.org/news?article=675-city-of-la-hand-washing-stations>; David
Zahniser, Emily Alpert Reyes, Dakota Smith, *To combat virus, L.A. will let
homeless encampments stay up throughout the day* (Mar. 17, 2020, 8:03 AM),
[https://www.latimes.com/california/story/2020-03-17/los-angeles-homeless-](https://www.latimes.com/california/story/2020-03-17/los-angeles-homeless-encampments-tents-sidewalks-proposal-coronavirus)
[encampments-tents-sidewalks-proposal-coronavirus](https://www.latimes.com/california/story/2020-03-17/los-angeles-homeless-encampments-tents-sidewalks-proposal-coronavirus)

1 available to those able to pay), and it appears that neither the City nor the County
2 is providing needed supplies like masks, gloves, and temperature scanners.

3 Responsibility for addressing this crisis amongst our homeless population
4 falls to service providers, and their capacity and outreach ability is limited.
5 Providers are currently facing immense challenges in getting access to supplies;
6 even hospitals are asking the building industry to donate dust masks for medical
7 use. Should service providers' staff get sick, there does not appear to be any
8 proposal to provide additional staffing to care for the homeless population.

9 **Options Exist That Would Enable Rapid Sheltering**

10 The Complaint in this case reflects the Plaintiffs focus on providing shelter
11 to the unsheltered, with a wrap-around services aimed at assisting as many as
12 possible to transition into more stable, sustainable circumstances. COVID-19
13 accelerates the timetable of that effort.

14 There are things that can be done not only to quarantine homeless
15 individuals exhibiting symptoms, but to facilitate transfer to off-street shelter
16 where there will be basic hygiene facilities (such as toilets and sinks), access to
17 basic medical care, and protection from the elements.

18 Plaintiffs advocate for a response more closely aligned with the state's, to
19 provide immediate shelter. The Governor's announcement of procuring hotels
20 and motels demonstrates the government's ability to quickly scale-up our
21 response as needed. The City and County have both declared an emergency
22 which provides access to hundreds of millions of dollars in emergency funds that
23 could be used in part to provide rapid shelter options. The state and federal
24 government have also declared a state of emergency freeing up additional
25 resources. The federal government has indicated its willingness to deploy the
26 Army Corps of Engineers to rapidly build field hospitals and isolation centers or
27 retrofit existing buildings, such as the abandoned County Hospital, for this
28 purpose.

Emergency measures like these—coupled with mental and drug rehabilitation services and medical assistance—could provide swift assistance to our most vulnerable population. And these immediate efforts could provide a foundation for a lasting solution to the homelessness crisis in Los Angeles.

Conclusion

For months before filing their complaint, Plaintiffs reached out to the City and the County in hopes of triggering a dialogue on how best to solve the crisis of homelessness in Los Angeles. With the complaint now filed and COVID-19 adding exigency to the plight of the homeless, Plaintiffs hope the parties can move quickly to settlement discussions aimed at quick but significant solutions to this pressing problem. Plaintiffs stand ready to work with the Court, the City and the County in confronting this challenge with urgency and empathy.

Dated: March 18, 2020

/s/ Matthew Donald Umhofer

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